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EXAMINER

NGUYEN, HUY THANH

ART UNIT PAPER NUMBER

2615

DATE MAILED: 05/01/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

08/468,437

Applicant(s)

HODA ET AL.

Examiner

HUY T NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 April 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20-22,31-34,37 and 40-51 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 20-22,31-34,37 and 40-51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 21,22 and 43 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The specification fails to describe a first memory contain a IC card as now being recited in claims 21 , 22 and 43. It is noted that the specification teaches that the memory that stored the image information from a buffer is an IC card (See Fig. 4).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily

published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claim 51 are rejected under 35 U.S.C. 102(e) as being anticipated by Tojo et al (5,737,014).

Tojo discloses an editing device (Fig. 1, abstract, column 1) comprising :
a first memory (27) for storing the processed image signal;
a processing means (19,9) (column 3, lines 39-42); and
a second memory (20) for storing the restored image signal from the first memory, the first memory and second memory are removable memories .

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

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consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 20-30, 33, 43-44 and 47-50 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Okamoto (JP 6447177) in view of Sasaki et al (5,034,804).

Regarding claims 20-30, 33, 43-44 and 47-50, Okamoto discloses a camera apparatus (Fig 1) comprising:

- a camera body ;

- an image device (1)

- first memory (14) and second memory (2) that are semiconductor memories (IC SRAM) for storing the image signal from the image device;

- recording means and reproducing means (Fig. 1) for recording and reproducing the image information (See Abstract);

- detecting means for detecting a condition of the memory by detecting whether the memory is full or saturated ; and

- changing means (18) for changing between a first condition to store the image information in the first memory , and in a second condition to store image information in second memory (See Abstract of JP64-47177, and the admitted description of the applicant in the specification of the present application, page 2, lines 11-17, page 3, lines 22-25).

Okamoto fails to teach the use of a buffer memory for storing the image data . However, it is noted that using a buffer memory for storing the image data from a image pick up element is well known in the art as taught by Sasaki. Therefore , it would have

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been obvious to one of ordinary skill in the art to modify Okamoto with Sasaki by using a buffer memory for storing the image signal from image pickup element to be supplied to the second memory in order to accurately control the timing of the image signal to be stored in the memories.

Okamoto fails to teaches detecting means for detecting an available capacity of a memory or connection of the memory and for generating an alarm to alert the user. eans

Sasaki teaches a detecting means (CPU 24) for detecting a available capacity of one of the first and second memory and connection of the memory (column 9, lines 15-37) and generating an alarm to alert the user .

It would have been obvious to one of ordinary skill in the art to modify Okamoto with Sasaki by using a detecting means as taught by Sasaki with the apparatus of Takahashi for detecting an available capacity of the memory and for generating a representative of the result in order to inform the user the status of the memory thereby preventing error in the recording of the image signal.

Regarding claim 33, Okamoto as modified with Sasaki further teach a view finder .

7. Claim 34 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Okamoto in view of Sasaki et al (5,034,804) as applied to claims 20 above, further in view of Finelli.

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Okamoto as modified with Sasaki fails to specifically teaches the use of a printer for the camera as recited in claim 36. However, it is noted that using a printer for making a copy of the image is well known in the art as taught by Finelli (See Finelli, Figs. 1 and 3). Therefore, it would obvious to one of ordinary skill in the art to modify Okamoto with Finelli by providing a printer as taught by Finelli into the camera apparatus of Okamoto as modified with Sasaki in order to provide a copy of the selected select image to the user.

8. Claims 40-42 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Okamoto in view of Sasaki et al (5,034,804) and Kinoshita et al.

Regarding claims 40-42; Okamoto discloses a camera apparatus (Fig 1) comprising:

- a camera body ;

- an image device (1)

- first memory (14) and second memory (2) that are semiconductor memories (IC SRAM) for storing the image signal from the image device;

- recording means and reproducing means (Fig. 1) for recording and reproducing the image information (See Abstract);

- detecting means for detecting a condition of the memory by detecting whether the memory is full or saturated ; and

- changing means (18) for changing between a first condition to store the image information in the first memory and a second condition to store image information

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in second memory (See Abstract of JP64-47177, and the admitted description of the applicant in the specification of the present application, page 2, lines 11-17, page 3, lines 22-25).

Okamoto fails to teach the use of a buffer memory for storing the image data. However, it is noted that using a buffer memory for storing the image data from a image pickup element is well known in the art as taught by Sasaki. Therefore, it would have been obvious to one of ordinary skill in the art to modify Okamoto with Sasaki by using a buffer memory for storing the image signal from image pickup element to be supplied to the second memory in order to accurately control the timing of the image signal to be stored in the memories.

Okamoto fails to teaches a detecting means for detecting an available capacity of a memory or connection of the memory and for generating an alarm to alert the user.

Sasaki teaches a detecting means (CPU 24) for detecting a available capacity of one of the first and second memory and connection of the memory (column 9, lines 15-37) and generating an alarm to alert the user.

It would have been obvious to one of ordinary skill in the art to modify Okamoto with Sasaki by using a detecting means as taught by Sasaki with the apparatus of Takahashi for detecting an available capacity of the memory and for generating a representative of the result in order to inform the user the status of the memory thereby preventing error in the recording of the image signal.

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9. Claims 45 and 46 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Okamoto in view of Sasaki et al (5,034,804) as applied to claims 43-44 above, further in view of Kinoshita et al.

Regarding claims 45 and 46, Okamoto as modified with Sasaki fails further teach means for reading image from the first and second memory (See Sasaki) but fails to teach a selecting means for supplying the image signal from the first memory or the second memory to the reproducing device. However, it is noted reading the using a selecting means for selecting the image for selecting and outputting the image signals from different sources to a reproduction device is well known in the art as taught by Kinoshita (Fig. 1). Therefore, it would have been obvious to one of ordinary skill in the art to modify Okamoto as modified with Sasaki by using a selecting means as taught by Kinoshita for selectively outputting the image from the first memory or second memory to the reproducing device for viewing the selected image.

10. Claims 20-30, 33,43-44 and 47-50 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Takahashi in view of Sasaki et al (5,034,804).

Regarding claims 20-30, 43-44 and 49, Takahashi discloses a camera apparatus (Fig 1) comprising:

- a camera body (Fig. 1);

- an image device (12)

- a buffer memory (18) for storing image information and supplying image information to the second memory

first memory (40) and second memory (56 or 34) for storing image information from the buffer;

recording means and reproducing means (Fig. 1), columns 3-4) for recording and reproducing the image information (column 11 and column 15, lines 1-30);

changing means (18) for changing between a first condition to store the image information in the first memory , and in a second condition to store image information in second memory by detecting the condition of the memory (column 5, lines 50-60, column 6, lines 1-10, column 7, lines 40-43) .

Takahashi fails to teach that the second memory is also a semiconductor memories of a SRAM kind. However, it is noted that employing a semiconductor memory device such as an IC card device which is detachable from a camera unit and the memory of SRAM kind for storing image signals as an alternative to a optical or tape medium is well known in the art as taught by Sasaki in order to reduce the size of the overall apparatus is well known in the art as taught by Sasaki et al (column 7, lines 60-65). Therefore, it is obvious to one of ordinary skill in the art to modify Takahashi with Sasaki by providing the apparatus of Takahashi with the semiconductor memory of SRAM kind as taught by Sasaki et al as an alternate to the first memory or second memory of Takahashi apparatus in order to reduce the size of the overall apparatus.

Regarding claims 47-48 and further for claims 49 and 50, Takahashi fails to teach means for detecting a memory condition relating to an available capacity of the memory, connection of the memory and means for generating an alarm when the

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available capacity is below a threshold level condition to switch the storing of the image information on the second memory .

Sasaki teaches a camera that has a detecting mean (CPU) a memory condition and for controlling the storing of the image information on memories and generating an alarm to alert the user about condition of the memory (column 9, lines 15-37) ; and

It would have been obvious to one of ordinary skill in the art to modify Takahashi with Sasaki by using a detecting means as taught by Sasaki with the apparatus of Takahashi in order to detecting an available capacity of a memory, connection of the memory and generating an alarm to alter the user thereby preventing error in recording of the image signal in the memory.

Regarding claim 33, Takahashi as modified with Sasaki further teaches a view finder (130) (See Sasaki reference, Fig. 13, column 1, lines 35-63).

11. Claim 34 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Takahashi in view of Sasaki et al (5,034,804) as applied to claims 20 above, further in view of Finelli.

Takahashi as modified with Sasaki fails to specifically teaches the use of a printer for the camera as recited in claim 36. However, it is noted that using a printer for making a copy of the image is well known in the art as taught by Finelli (See Finelli, Figs. 1 and 3). Therefore, it would obvious to one of ordinary skill in the art to modify Takahashi with Finelli by providing a printer as taught by Finelli into the camera apparatus of Takahashi as modified with Sasaki in order to provide a copy of the selected select image to the user.

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12. Claims 40-42 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Takahashi in view of Sasaki et al (5,034,804) and Kinoshita et al.

Regarding claim 40, Takahashi discloses a camera apparatus (Fig 1) comprising:

- a camera body (Fig. 1);

- an image device (12);

- a buffer memory (18) for storing image information and supplying image information to the second memory

- first memory (40) and second memory (56 or 34) for storing image information from the buffer;

- recording means and reproducing means (Fig. 1), columns 3-4) for recording and reproducing the image information (column 11 and column 15, lines 1-30);

- changing means (22, 128) for changing between a first condition to store the image information from the image device in the first memory, and in a second condition to store image information in second memory (column 5, lines 50-60, column 6, lines 1-10, column 7, lines 40-43).

Takahashi fails to teach a detector for detecting an available capacity of a memory.

Sasaki teaches a camera that has a detecting means (CPU) for detecting an available capacity and to output a signal representative of the result (column 9, lines 15-37) and to control the recording of the image into a memory.

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It would have been obvious to one of ordinary skill in the art to modify Takahashi with Sasaki by using a detecting means as taught by Sasaki with the apparatus of Takahashi for detecting an available capacity of the memory and for generating a representative of the result in order to inform the user the status of the memory thereby preventing error in the recording of the image signal.

Takahashi as modified with Sasaki further teaches a reproducing device (Fig. 11, Sasaki reference) for reproducing the image signal from second memory but fails to specifically teach that the reproduction device can selectively reproduce the image signal from the first memory. However, it is noted that using a reproduction device as an monitor to reproduce the image signal from a first memory and a second memory is well known in the art as taught by Kinoshita. Therefore, it would have been obvious to modify Takahashi as modified with Sasaki with Kinoshita by using the teaching of Kinoshita for providing the apparatus of Takahashi with a reproducing device as taught by Kinoshita for selectively reproducing the image signal from the first memory or the second memory thereby enable the user can view either the images stored in the first memory or second memory.

Regarding claim 41, Takahashi fails to teaches that the second memory is a semiconductor. However, it is noted that using a semiconductor memory as an alternative for a optical medium or tape is well known in the art as taught by Sasaki (column 1, lines 10-30, column 7, lines 60-65).). Therefore it would have been obvious to one of ordinary skill in the art to modify Takahashi with Sasaki by using a

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semiconductor memory as an alternative to the second memory to reduce the size of the overall apparatus .

Regarding claim 42, Takahashi as modified with Sasaki further teach a view finder (130) (See Sasaki reference, Fig. 13, column 1, lines 35-63).

13. Claims 45 and 46 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Takahashi in view of Sasaki et al (5,034,804) and Kinoshita et al.

Regarding claims 45 and 46, Takahashi as modified with Sasaki fails further teach means for reading image from the first and second memory (See Sasaki) but fails to teach a selecting means for supplying the image signal from the first memory or the second memory to the reproducing device . However, it is noted using a reproducing means and selecting means for selecting the image for selecting and outputting the image signals from different sources to a reproduction device is well known in the art as taught by Kinoshita (Fig. 1). Therefore, it would have been obvious to one of ordinary skill in the art to modify Takahashi as modified with Sasaki by using a selecting means and reproducing means as taught by Kinoshita for selectively outputting the image from the first memory or second memory to the reproducing device for viewing the selected image .

14. Claims 31, 37 and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al in view of Sasaki (4,837,628) .

Watanabe discloses a reproducing device (Fig. 2) for reproducing the compressed image signal comprising :

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a removable IC card (32) stored with compressed image signal ; and

a processing means (46) for expanded the image signal.

Watanabe fails to teach the use of a second removable memory for storing the expanded image signal.

Sasaki teaches a reproducing device (Fig. 15, column 9, line 65 to column 10, line 16) that has an insert means for receiving a IC card , processing means for processed image signal and a second removable medium for storing the image signal.

It would have been obvious to one of ordinary skill in the art to modify Watanabe by using the teaching of Sasaki to provide the apparatus of Watanabe with removable medium for storing the expanded image signal in order to preserve the image signal.

15. Claims 31, 37 and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lang in view of Sasaki et al (5,034,804) .

Regarding claims 31,37 and 51, Lang discloses an editing apparatus for comprising:

a first reception unit for receiving a memory (13)(column 6, lines 1-20).

a second reception unit (11) for receiving a memory device (column 3, lines 58 to column 4, line 16);

signal processing means (26) for expanding (restoring) the compressed image signal from the memory (column 9, lines 20-30);

recording and reading means for recording and reading the expanded image signal (restored image signal) on and from the memory device (11,23) (column 3, lines 58-62, column 9, lines 1-68).

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Lang further teaches that the memory is a semiconductor (SRAM)(column 6, lines 1-20) , but fails to teach that the memory is a memory card, which is removable (column 6, lines 1-20).

However, it is noted that forming a SRAM memory as a memory card for recording image signal and using reception unit to enable the memory card can be removed from an apparatus is well known in the art as shown by Sasaki.

It would have been obvious to one of ordinary skill in the art to modify Lang with Sasaki by providing the memory SRAM memory of Lang as a memory card and a reception unit of the memory card as taught by Sasaki into the apparatus of Lang as an alternative to memory 13 of Lang and incorporate a reception unit to enable the memory card can be received and removed from the apparatus in order to reduce the size of the overall apparatus and easily replace the memory card.

Further for claims 31 and 51, Lang as modified with Sasaki teaches that the image information is produced from a camera (See Lang and Sasaki references).

16. Claim 32 rejected under 35 U.S.C. 103(a) as being unpatentable over Lang in view of Sasaki et al as applied to claim 31 above, further in view of Watanabe et al .

Lang fails to specifically teach that the image signal is compressed in a DCT manner. However, it is noted that expanding a compressed image signal in a DCT manner and stored the compressed image signal in a IC card is well known in the art as shown Watanabe . Therefore, it would have been obvious to one of ordinary skill in the art to modify Lang with Watanabe by providing apparatus of Lang with a DCT

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compressing and expanding means to compress and expand the image signals with a DCT manner in order to improve the quality of the image signal.

Response to Arguments

17. Applicant's arguments filed April 15, 2002 have been fully considered but they are not persuasive.

In Remark, applicants argue that Takahashi teaches away of using a removable semiconductor memory. In response, it is noted that Takahashi at column 1, line 19-46 does not teach away of using removable semiconductor memory as argued by applicant. Takahashi pointed out some problems of the semiconductor memory used in the camera of the prior art and proposed the use of improved memories includes semiconductor and IC card to overcome the problems of the semiconductor memory.

In Remarks, applicants argue that the combination of Takahashi does not teaches the changer as recited in claims. In response, it is noted that Takahashi as combined with Sasaki teaches the changer as recited in claims. At column (column 5, lines 50-60, column 6, lines 1-10, column 7, lines 40-43), Takahashi teaches a changer for switching between the first memory and second memory based on the capacity of the memory or condition of the memory that to be stored with the image signal image.

In Remarks, applicants argue that Lang fails to teach that the memory is used as an image source. In response, the examiner disagrees, is noted that Lang teach that the memory 13 receiving the compressed image signal, the compressed image signal is read out from the memory 13, expanded and then the expanded image signal is recorded on a storage device or transmitted to another recording apparatus. It is

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clear that memory 13 of Lang is used as an image source . Applicants further argue that Lang does not teach or use the memory 13 as a removable memory card. In response, it is noted that the use of an IC card is well known in the art at the time the invention was made as admitted by applicants and is shown in prior art . Therefore, it would have been obvious to one of ordinary skill in the art to modify Lang by using a IC card as alternative of memory 13 in order to easily to preserve and/or replace the memory.

Applicants further argue that , Lang can not be combined with Sasaki because Lang teaches the storage of huge image signal and Sasaki teach the stored of 8 seconds of the image signal . In response, it is noted that the amount of the image signal in the memory 13 is depended on the user operation. Therefore, the amount of the image signal stored in the memory 13 can be varied to the user operation. Further it is noted that nowhere in claims do they suggest or recite that limited amount of the image signal being stored in the IC card. Further it is noted that Lang teaches that the memory 13 can be SRAM or DRAM (column 6, lines 8-22) and that forming a SRAM as a memory card (IC card) that is removable is well known in the art and as taught by Sasaki . Therefore it would have been obvious to one of ordinary skill in the art to use the teaching of Sasaki to form the SRAM of Lang into a IC card that is removable from the apparatus .

Conclusion

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18. The finality of the rejection of the last Office action is withdrawn because of new ground rejection of new prior art.

19. Applicants are requested to provide the reference of the prior art that cited in the specification, page 2, line 23 to page 3, line 1 for further consideration.

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUY T NGUYEN whose telephone number is (703) 305-4775. The examiner can normally be reached on 8:30AM -6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on (703) 308-9644. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the 2600 TECH CENTER customer service whose telephone number is (703) 306-0377.


HUY T NGUYEN
PRIMARY EXAMINER

H.N
April 29, 2002